IN THE COURT OF JUDICATURE AT BOMBAY

ORIGINAL SIDE JURISDICTION

WRIT PETITION NO. 2679 OF 2006

Purshottam Niwas Co-operative
Housing Society Ltd ...Petitioners

vs.

Nimish C.Shah and Ors. ...Respondents

Mr.J.J.Thakkar for the petitioners.

Mr.V.D.Patil for respondent nos.1 to 4.

Mr.K.R.Belosay, Off.G.P. for respondent nos.5-7.

CORAM: J.N.PATEL, J. And

S.C.DHARMADHIKARI, J.

DATE ; 8TH FEBRUARY, 2007.

P.C :-

1. The learned counsel for the petitioner submits that the issue raised in this petition be kept open. The petitioner may be permitted to withdraw the

petition as the matter is to be decided by the Divisional Joint Registrar, Mumbai, Respondent no.6 before whom the Appeal No. 164 of 2006 is pending. We permit the petitioner to withdraw the petition with liberty to raise the issue of validity of the circular after this Appeal is decided in accordance with law. Dismissed as withdrawn with the aforesaid liberty.

sd/-

(J.N.PATEL, J)

sd/-

(S.C.DHARMADHIKARI, J)